

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

DILDORA MARUPOVA,

Defendant.

S1 20 Cr. 681 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

Defendant Dildora Marupova has moved “to stay execution of her sentence pending appeal.” Dkt. 377. As a basis for this relief, she relies on 18 U.S.C. § 3143(b). Pursuant to that provision, as relevant here, the Court “shall order that a person who has been found guilty of an offense and sentenced to a term of imprisonment, and who has filed an appeal or a petition for a writ of certiorari, be detained” unless the Court finds both “by clear and convincing evidence that the person is not likely to flee or pose a danger to the safety of any person or the community if released” *and* that “the appeal is not for the purpose of delay and raises a substantial question of law or fact likely to result in—(i) reversal, (ii) an order for a new trial, (iii) a sentence that does not include a term of imprisonment, or (iv) a reduced sentence to a term of imprisonment less than the total of the time already served plus the expected duration of the appeal process.” 18 U.S.C. § 3143(b)(1).


Defendant offers no reason for the Court to find that her appeal will raise a substantial question of law or fact that would result in any of the statutorily enumerated outcomes. To the contrary, Defendant entered what the Court found to be a knowing and voluntary plea of guilty to Count Three of the Superseding Indictment. *See* Dkt. 278. Further, the Court sentenced Defendant

to twelve months and one day in prison, which was roughly 1/3 of the agreed-upon advisory Guidelines range of 33 to 41 months' imprisonment. Dkts. 356 at 2; 278 at 19. In fact, in her plea agreement, Defendant specifically waived her right to appeal any term of imprisonment that was less than or equal to 41 months' incarceration, and she confirmed that waiver at her guilty plea hearing on August 17, 2022. Dkt. 278 at 20:12-21.

The Court therefore denies Defendant's motion to stay execution of her sentence. The Clerk of Court is respectfully directed to close the motion pending at Docket Number 377.

SO ORDERED.

Dated: February 17, 2023  
New York, New York

  
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JOHN P. CRONAN  
United States District Judge